

Union Calendar No. 468

103D CONGRESS
2D SESSION

H. R. 4236

[Report No. 103-850]

A BILL

To establish a National Undersea Research Program within the National Oceanic and Atmospheric Administration.

OCTOBER 7, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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To establish a National Undersea Research Program within the National Oceanic and Atmospheric Administration.

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 1994

Mr. ORTIZ (for himself, Mr. WELDON, Mr. FIELDS of Texas, Mr. GENE GREEN of Texas, Mr. LAUGHLIN, Mr. ANDREWS of Texas, Mr. WASHINGTON, Mr. ROSE, and Mr. GEJDENSON) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

OCTOBER 7, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 18, 1994]

A BILL

To establish a National Undersea Research Program within the National Oceanic and Atmospheric Administration.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “National Undersea*
3 *Research Program Act of 1994”.*

4 **SEC. 2. DEFINITIONS.**

5 *For the purposes of this Act, the term—*

6 (1) *“Administration” means the National Oce-*
7 *anic and Atmospheric Administration;*

8 (2) *“Center” means any National Undersea Re-*
9 *search Center in existence on the day before the date*
10 *of enactment of this Act or established under section*
11 *5;*

12 (3) *“Center Director” means the Director of any*
13 *National Undersea Research Center;*

14 (4) *“Committee” means the National Undersea*
15 *Research Advisory Committee established under sec-*
16 *tion 4;*

17 (5) *“Office” means the Office of Undersea Re-*
18 *search established by section 3(d)(1);*

19 (6) *“priority research area” means any of the*
20 *priority research areas set forth in section 3(f)(1), as*
21 *those areas may be revised by the Under Secretary*
22 *under section 3(f)(2);*

23 (7) *“Program” means the National Undersea Re-*
24 *search Program established under section 3;*

1 (8) “Program Director” means the Director of
2 the National Undersea Research Program appointed
3 pursuant to section 3(d)(2);

4 (9) “undersea region” means each of—

5 (A) the United States Northern Atlantic re-
6 gion, comprised of the coastal and oceanic waters
7 and seabed north of Montauk, New York, and off
8 Maine, New Hampshire, Massachusetts, Rhode
9 Island, and Connecticut;

10 (B) the Mid-Atlantic Bight region, com-
11 prised of the coastal and oceanic waters and sea-
12 bed south of Montauk, New York, and off New
13 York, New Jersey, Pennsylvania, Delaware,
14 Maryland, and Virginia;

15 (C) the United States Southern Atlantic re-
16 gion, comprised of the coastal and oceanic waters
17 and seabed off North Carolina, South Carolina,
18 Georgia, and the Atlantic coast of Florida (in-
19 cluding the Florida Keys);

20 (D) the Gulf of Mexico region, comprised of
21 the coastal and oceanic waters and seabed of the
22 Gulf of Mexico off Florida, Alabama, Mis-
23 sissippi, Louisiana, and Texas;

24 (E) the Great Lakes region, comprised of
25 the waters and lake beds of the Great Lakes;

1 (F) the California region, comprised of the
2 coastal and oceanic waters and seabed off Cali-
3 fornia;

4 (G) the United States Northeast Pacific re-
5 gion, comprised of the coastal and oceanic waters
6 and seabed off Oregon, Washington, and Alaska;

7 (H) the Western Pacific region, comprised
8 of the coastal and oceanic waters and seabed off
9 Hawaii, Johnston Island, Guam, American
10 Samoa, and the Northern Mariana Islands, and
11 other Western Pacific waters and seabed relevant
12 to the purpose of the Program;

13 (I) the Caribbean region, comprised of the
14 coastal and oceanic waters and seabed off Puerto
15 Rico, the United States Virgin Islands, and other
16 tropical and subtropical waters and seabed rel-
17 evant to the purposes of the Program; and

18 (J) any other undersea region resulting
19 from a modification under section 3(e)(5);

20 (10) “undersea research” means scientific re-
21 search carried out in the oceans or large lakes of the
22 world, using advanced underwater technology includ-
23 ing diving, underwater observatories and laboratories,
24 research submersibles, remotely operated vehicles, au-

1 *tonomous vehicles, and any other research techniques*
2 *necessary to carry out the provisions of this Act; and*

3 (11) “Under Secretary” means the Under Sec-
4 *retary of Commerce for Oceans and Atmosphere.*

5 **SEC. 3. ESTABLISHMENT AND ADMINISTRATION OF NA-**
6 **TIONAL UNDERSEA RESEARCH PROGRAM.**

7 (a) *PROGRAM ESTABLISHMENT AND MAINTENANCE.—*
8 *The Under Secretary shall establish and maintain in the*
9 *Administration a program to be known as the “National*
10 *Undersea Research Program”.*

11 (b) *PROGRAM PURPOSE.—The purpose of the Program*
12 *shall be to enhance scientific understanding of processes in*
13 *the oceans and large lakes of the world, by—*

14 (1) *developing, maintaining, and carrying out*
15 *undersea research programs;*

16 (2) *investigating, developing, and applying tech-*
17 *nology for undersea research; and*

18 (3) *developing new approaches to undersea tech-*
19 *nology transfer and marine science education.*

20 (c) *NATIONAL UNDERSEA RESEARCH CENTERS.—The*
21 *Program shall be conducted by the National Undersea Re-*
22 *search Centers established pursuant to section 5(a).*

23 (d) *OFFICE OF UNDERSEA RESEARCH.—*

24 (1) *ESTABLISHMENT.—There is established in*
25 *the Administration the Office of Undersea Research.*

1 (2) *PROGRAM DIRECTOR.*—The head of the Office
2 and Program Officer of the National Undersea Re-
3 search Program is the Director of the National Un-
4 dersea Research Program, who shall be appointed by
5 the Under Secretary from among individuals with ex-
6 tensive knowledge and expertise in undersea research
7 and having appropriate administrative experience.

8 (e) *DUTIES OF PROGRAM DIRECTOR.*—Subject to the
9 supervision of the Under Secretary, the Program Director
10 shall carry out only the following duties:

11 (1) *Facilitating and supporting the activities of*
12 *Centers.*

13 (2) *Establishing guidelines for the submission*
14 *and review of proposals from the Centers and propos-*
15 *als from individual researchers that are submitted to*
16 *the Centers for research under the Program.*

17 (3) *Making grants and entering into contracts*
18 *and cooperative agreements under section 8 to ad-*
19 *vance knowledge in the priority research areas*
20 *through the Centers.*

21 (4) *Supporting the Memorandum of Agreement*
22 *Concerning Support of a National Academic Deep*
23 *Submergence Facility for Scientific Use.*

24 (5) *Modifying undersea regions as necessary and*
25 *appropriate.*

1 (6) Any other duty specifically assigned to the
2 Program Director by this Act.

3 (f) *PRIORITY RESEARCH AREAS.*—

4 (1) *IN GENERAL.*—The Under Secretary may use
5 amounts appropriated for the Program to fund re-
6 search, including long-term studies, within the follow-
7 ing priority research areas:

8 (A) Oceanic, coastal, estuarine, and
9 limnological processes.

10 (B) Pathways and fates of materials in the
11 oceans and large lakes.

12 (C) Diversity, distribution, productivity,
13 and recruitment of organisms, including com-
14 mercially valuable species, with respect to habi-
15 tat characteristics in the oceans and large lakes.

16 (D) Global change processes.

17 (E) Ocean lithosphere processes and mineral
18 resources.

19 (F) Undersea research platform and instru-
20 ment technology.

21 (G) Diving safety, physiology, and tech-
22 nology.

23 (H) Studies under section 21(e) of the Outer
24 Continental Shelf Lands Act (43 U.S.C.
25 1347(e)).

1 (2) *REVISION OF PRIORITY AREAS.*—Upon the
2 *recommendation of the Committee, the Under Sec-*
3 *retary may, after public comment, revise the priority*
4 *research areas under paragraph (1).*

5 **SEC. 4. ADVISORY COMMITTEE.**

6 (a) *ESTABLISHMENT OF COMMITTEE.*—The Under
7 *Secretary shall establish an independent advisory commit-*
8 *tee to be known as the “National Undersea Research Advi-*
9 *sory Committee”.*

10 (b) *COMPOSITION.*—

11 (1) *IN GENERAL.*—The Committee shall consist
12 *of 9 members appointed by the Under Secretary from*
13 *individuals who are eminent professional scientists or*
14 *engineers and active in at least one priority research*
15 *area, of whom 2 members shall be appointed from in-*
16 *dividuals nominated by Center Directors. The Under*
17 *Secretary shall complete appointments under this*
18 *paragraph by not later than 6 months after the date*
19 *of the enactment of this Act.*

20 (2) *BALANCE.*—In appointing members of the
21 *Committee, the Under Secretary shall seek to ensure*
22 *balanced representation of—*

23 (A) *priority research areas,*

24 (B) *disciplines related to priority research*
25 *areas, and*

1 (C) *geographic regions of the United States.*

2 (3) *PROHIBITION ON APPOINTMENTS.—Except as*
3 *provided in paragraph (4), no member of the Com-*
4 *mittee may be an employee of a Center or of the Ad-*
5 *ministration.*

6 (4) *EX OFFICIO MEMBERS OF THE COMMIT-*
7 *TEE.—The Chief Scientist of the Administration shall*
8 *be a nonvoting ex officio member of the Committee.*

9 (c) *DUTIES.—The Committee shall—*

10 (1) *advise the Under Secretary and the Program*
11 *Director concerning—*

12 (A) *the quality of research performed with*
13 *grants awarded under this Act, including the ap-*
14 *plicability of such research to the priority re-*
15 *search areas;*

16 (B) *the designation, establishment, and op-*
17 *eration of Centers;*

18 (C) *the modification of undersea regions;*

19 (D) *the need to revise the priority research*
20 *areas; and*

21 (E) *any other matter that the Under Sec-*
22 *retary refers to the Committee for review and ad-*
23 *vice, or that the Committee considers appro-*
24 *priate; and*

1 (2) *carry out any other duty specifically as-*
2 *signed to the Committee by this Act.*

3 (d) *TERM OF MEMBERSHIP.—*

4 (1) *IN GENERAL.—Subject to paragraph (2), the*
5 *term of membership on the Committee shall be 3*
6 *years.*

7 (2) *INITIAL APPOINTMENTS.—Of the members*
8 *first appointed to the Committee—*

9 (A) *3 members shall serve a term of 1 year;*

10 (B) *3 members shall serve a term of 2 years;*

11 *and*

12 (C) *3 members shall serve a term of 3 years;*
13 *as specified by the Under Secretary at the time of ap-*
14 *pointment.*

15 (3) *TERM LIMITATION.—No individual may*
16 *serve consecutive terms as a member of the Commit-*
17 *tee.*

18 (e) *COMPENSATION.—Members of the Committee, while*
19 *performing official duties as members of the Committee, are*
20 *entitled to receive compensation for travel and transpor-*
21 *tation expenses under section 5703 of title 5, United States*
22 *Code.*

23 (f) *CHAIRPERSON.—The members of the Committee*
24 *shall select annually from among the voting members of the*
25 *Committee an individual who shall serve as Chairperson*

1 *of the Committee. No member of the Committee may serve*
 2 *more than 2 annual terms as Chairperson.*

3 (g) *CONDUCT OF BUSINESS.—The Committee shall*
 4 *conduct its business according to the majority vote of those*
 5 *members present at a meeting of the Committee.*

6 (h) *PUBLIC PARTICIPATION.—The following guidelines*
 7 *apply to the conduct of business by the Committee:*

8 (1) *Each meeting shall be open to the public, and*
 9 *interested persons shall be permitted an opportunity*
 10 *to present oral or written statements on items on the*
 11 *agenda.*

12 (2) *Timely notice of each meeting, including the*
 13 *time, place, and agenda, shall be published in the*
 14 *Federal Register and copies sent to all Center Direc-*
 15 *tors.*

16 (i) *EXEMPTION.—The Federal Advisory Committee*
 17 *Act (5 U.S.C. App.) shall not apply to the Committee.*

18 **SEC. 5. ESTABLISHMENT OF NATIONAL UNDERSEA RE-**
 19 **SEARCH CENTERS.**

20 (a) *ASSIGNMENT OF EXISTING REGIONS AND ESTAB-*
 21 *LISHMENT OF NEW CENTERS.—*

22 (1) *ASSIGNMENT OF REGIONS TO EXISTING CEN-*
 23 *TERS.—There are assigned to the Centers in existence*
 24 *on the day before the date of the enactment of this Act*
 25 *undersea regions, as follows:*

1 (A) *The Western Pacific region is assigned*
2 *to the Hawaii Undersea Research Laboratory.*

3 (B) *The United States Northeast Pacific*
4 *and California regions are assigned to the West*
5 *Coast National Undersea Research Center at the*
6 *University of Alaska-Fairbanks.*

7 (C) *The United States Northern Atlantic*
8 *and Great Lakes regions are assigned to the Na-*
9 *tional Undersea Research Center at the Univer-*
10 *sity of Connecticut at Avery Point.*

11 (D) *The Mid-Atlantic Bight region is as-*
12 *signed to the New York Bight National Undersea*
13 *Research Center.*

14 (E) *The United States Southern Atlantic*
15 *region is assigned to the National Undersea Re-*
16 *search Center at the University of North Caro-*
17 *lina at Wilmington.*

18 (F) *The Caribbean region is assigned to the*
19 *National Undersea Research Center at the Carib-*
20 *bean Marine Research Center.*

21 (G) *The Gulf of Mexico region is assigned*
22 *to a new center to be established pursuant to sub-*
23 *section (f).*

24 (2) *ESTABLISHMENT OF NEW CENTERS.—The*
25 *Under Secretary may establish a new Center to im-*

1 *plement the Program for any undersea region at an*
2 *institution of higher education or oceanographic re-*
3 *search located in a State bordering the region—*

4 *(A) if there is a clearly demonstrated, sci-*
5 *entific need for such a Center;*

6 *(B) if there are adequate funds available for*
7 *the establishment of the Center;*

8 *(C) after reviewing each proposal submitted*
9 *under subsection (b) with respect to that region;*
10 *and*

11 *(D) if the Committee concurs in the selec-*
12 *tion of that institution.*

13 *(3) LIMITATION.—The Under Secretary may not*
14 *establish a new Center for an undersea region if the*
15 *expenditure of amounts for that Center would result*
16 *in any reduction of amounts available for expenditure*
17 *for any other undersea region.*

18 *(b) SOLICITATION OF PROPOSALS FOR NEW CEN-*
19 *TERS.—*

20 *(1) IN GENERAL.—The Under Secretary may so-*
21 *licit proposals for the establishment of a new Center*
22 *under subsection (a)(2) from institutions of higher*
23 *education or oceanographic research.*

24 *(2) PROPOSAL REQUIREMENTS.—A proposal*
25 *under this subsection shall consist of—*

1 (A) a proposed science program;

2 (B) a program management plan;

3 (C) a description of the facilities of the in-
4 stitution at which the new Center is proposed to
5 be established;

6 (D) a description of relevant capabilities of
7 that institution;

8 (E) an operational safety plan;

9 (F) mechanisms for information transfer;

10 (G) a budget for the proposed Center; and

11 (H) any other information the Under Sec-
12 retary considers necessary.

13 (c) *REVIEW OF PROPOSALS.*—The Under Secretary
14 and the Committee shall review each proposal submitted
15 under subsection (b) on the basis of—

16 (1) relevance of the proposal to priority research
17 areas; and

18 (2) the capability of the applicant institution to
19 administer and direct research in those areas.

20 (d) *CENTER DIRECTOR.*—Each institution at which a
21 Center is established under this section may select, in con-
22 sultation with the Office, an individual who shall be the
23 Center Director of that Center.

24 (e) *6-YEAR REVIEW OF CENTERS AND REGIONS.*—

1 (1) *IN GENERAL.*—Every 6 years the Under Sec-
2 retary and the Committee shall jointly review—

3 (A) the operation of each Center, except that
4 in the case of a Center in existence on the day
5 before the date of the enactment of this Act, the
6 first review of the Center shall be completed by
7 not later than the date which is 5 years after
8 that date of enactment; and

9 (B) the configuration of undersea regions to
10 determine whether those regions meet scientific
11 needs for research in priority research areas.

12 (2) *CONTENT OF REVIEW.*—A review under this
13 subsection shall consist of—

14 (A) an evaluation of the quality of the re-
15 search conducted at the Center under the Pro-
16 gram and the applicability of the research to the
17 priority research areas, including consideration
18 of the reviews conducted under section 6(c);

19 (B) recommendations for changes in the sci-
20 entific research program and the operation of the
21 Center, that are considered beneficial by the
22 Committee and the Under Secretary;

23 (C) a determination of whether the contin-
24 ued operation of the Center will increase knowl-
25 edge in the priority research areas; and

1 (D) *recommendations for the modification*
2 *of the undersea regions of the Center.*

3 (3) *ESTABLISHMENT OF NEW CENTER AT DIF-*
4 *FERENT INSTITUTION.—If the Under Secretary and*
5 *the Committee determine as a result of a review*
6 *under this subsection that continued operation of a*
7 *Center is not warranted, the Under Secretary—*

8 (A) *shall provide notification of that deter-*
9 *mination to the Center, including a description*
10 *of any changes in the operations of the Center*
11 *the Under Secretary considers necessary for con-*
12 *tinued operation of the Center;*

13 (B) *shall after 18 months after providing*
14 *that notice, and not later than 2 years after pro-*
15 *viding that notice, review the implementation of*
16 *those changes by the Center; and*

17 (C) *may establish, at a different institution*
18 *of higher education or oceanographic research, a*
19 *new Center for the same undersea region in ac-*
20 *cordance with this section, if the Under Sec-*
21 *retary determines as a result of the review under*
22 *subparagraph (B) that those changes are not im-*
23 *plemented.*

24 (f) *NEW CENTER.—*

25 (1) *GULF OF MEXICO.—*

1 (A) *ESTABLISHMENT.*—Notwithstanding
2 subsection (a)(2) and (a)(3), the Under Secretary
3 shall establish at a qualified public institution a
4 Center to conduct the Program for the Gulf of
5 Mexico undersea region, which shall be known as
6 the “Gulf of Mexico National Undersea Research
7 Center”. The Under Secretary shall establish that
8 Center no later than 180 days after the date of
9 enactment of this Act.

10 (B) *DEFINITION.*—For the purposes of this
11 paragraph, the term “qualified public institu-
12 tion” means a public institution or consortium
13 of public institutions of higher education—

14 (i) located directly on the coastline of,
15 or having direct access to, the Gulf of Mex-
16 ico, and proximate to the Flower Garden
17 Banks National Marine Sanctuary;

18 (ii) with strong undergraduate and
19 graduate programs in engineering, science,
20 and technology as they may apply to under-
21 sea research;

22 (iii) with nationally recognized pro-
23 grams in marine science and maritime
24 studies, including the presence of a degree
25 granting maritime academy;

1 (iv) with facilities for maintaining
 2 and operating research and other vessels ap-
 3 propriate for deployment of equipment nec-
 4 essary to conduct undersea research;

5 (v) with faculty and other personnel
 6 with expertise in undersea research;

7 (vi) which maintains cooperative insti-
 8 tutional relationships with Federal agencies
 9 responsible for research work in the Gulf of
 10 Mexico and along the Gulf of Mexico coast;

11 (vii) which participates in cooperative
 12 undersea research programs with Mexico;
 13 and

14 (viii) which has received funding for
 15 undersea research from the Under Secretary
 16 in the past.

17 (2) *LIMITATION.*—In carrying out this sub-
 18 section, the Under Secretary shall not reduce amounts
 19 available for carrying out the Memorandum of Agree-
 20 ment Concerning Support of a National Academic
 21 Deep Submergence Facility for Scientific Use.

22 **SEC. 6. NATIONAL UNDERSEA RESEARCH CENTER RE-**
 23 **SEARCH PROGRAMS.**

24 (a) *INDIVIDUAL RESEARCH PROPOSALS.*—

1 (1) *SOLICITATION.*—Each Center Director shall
2 annually solicit individual proposals from the sci-
3 entific community for research to advance the prior-
4 ity research areas of the Program. Research under
5 each proposal shall be primarily conducted within the
6 undersea region of the Center, but may be conducted
7 in another undersea region in cooperation with the
8 Center for that region, or other geographic areas with
9 the approval of the Program Director. Individual pro-
10 posals shall adhere to guidelines established by the
11 Program Director pursuant to section 3(e)(2). Propos-
12 als under this paragraph may be for multiyear re-
13 search.

14 (2) *INDIVIDUAL PROPOSAL REVIEW PROCESS.*—

15 (A) *IN GENERAL.*—Each individual pro-
16 posal shall be reviewed by an independent review
17 panel and by not less than 3 anonymous mail
18 reviewers. Each independent review panel shall
19 be composed of not less than 4 individuals with
20 experience in undersea research appointed by the
21 Program Director, at least one of whom shall be
22 a member of the Committee.

23 (B) *PANEL REVIEW.*—Each review by an
24 independent review panel shall—

1 (i) *assess the scientific merit of the in-*
2 *dividual research proposal;*

3 (ii) *assess the ability of the Center to*
4 *carry out the proposed research; and*

5 (iii) *the applicability of the proposal*
6 *to the priority research areas.*

7 (C) *MAIL REVIEWS.—Each mail review*
8 *shall consider—*

9 (i) *the scientific merit of the proposal;*
10 *and*

11 (ii) *the capability of the principal in-*
12 *vestigator to carry out or support the pro-*
13 *posed research.*

14 (3) *ALLOWANCE FOR RESPONSE.—*

15 (A) *IN GENERAL.—Subject to any regula-*
16 *tion that is issued by the Program Director, a*
17 *Center Director shall—*

18 (i) *provide to each person who submits*
19 *to the Center a proposal under this section*
20 *blinded copies of all mail reviews of the pro-*
21 *posal conducted under paragraph (2), and*

22 (ii) *give the person not more than 14*
23 *days to respond to those reviews before ren-*
24 *dering any final decision regarding funding*
25 *for the proposal.*

1 (B) *REVIEW OF PROCESS BY COMMITTEE.*—

2 *Not later than 3 years after the date of the enact-*
3 *ment of this Act, the Committee shall—*

4 (i) *determine whether all Centers are*
5 *implementing subparagraph (A);*

6 (ii) *determine whether the opportunity*
7 *of persons who submit proposals to respond*
8 *to reviews pursuant to subparagraph (A)*
9 *has been utilized by those persons;*

10 (iii) *determine whether those responses*
11 *have been effective in ensuring full and fair*
12 *consideration of those proposals; and*

13 (iv) *recommend to the Program Direc-*
14 *tor that the procedures established by sub-*
15 *paragraph (A) be continued, terminated, or*
16 *modified (including the specific modifica-*
17 *tions which should be made).*

18 (C) *REGULATIONS IMPLEMENTING REC-*
19 *OMMENDATIONS.*—*The Program Director may*
20 *issue regulations implementing any rec-*
21 *ommendation made by the Committee under sub-*
22 *paragraph (B)(iv).*

23 (b) *PROPOSED CENTER PROGRAM.*—*Each fiscal year*
24 *each Center Director shall submit to the Program Direc-*
25 *tor—*

1 (1) a proposed program for the Center for the
2 upcoming fiscal year, which shall adhere to guidelines
3 established by the Program Director pursuant to sec-
4 tion 3(e)(2) and shall include—

5 (A) a description of the activities performed
6 and research funded by the Center in the pre-
7 vious fiscal year;

8 (B) those individual research proposals sub-
9 mitted under subsection (a) that the Center Di-
10 rector determines to be meritorious based on re-
11 views conducted under that subsection;

12 (C) a proposed budget for the operation of
13 the Center for the current fiscal year;

14 (D) any other materials requested by the
15 Program Director to clarify the proposed pro-
16 gram; and

17 (E) an annually revised long-range research
18 and operations plan; and

19 (2) reviews, and responses thereto, of all individ-
20 ual research proposals submitted to the Center Direc-
21 tor for the upcoming fiscal year.

22 (c) REVIEW OF PROPOSED CENTER PROGRAMS.—The
23 Program Director shall review the proposed programs sub-
24 mitted by each Center Director under subsection (b) and

1 *make recommendations to the Under Secretary for funding*
2 *allocations under section 8(b).*

3 (d) *GIFTS, DEVISES, AND BEQUESTS.—Each Center*
4 *may accept, solicit, and use the services of volunteers, and*
5 *may accept, receive, hold, administer, and use gifts, devises,*
6 *and bequests, to carry out the research program of the Cen-*
7 *ter.*

8 **SEC. 7. PROCEDURES FOR JOINT REVIEW OF RESEARCH**
9 **PROPOSALS.**

10 *The Under Secretary, in consultation with the Pro-*
11 *gram Director and the Committee and jointly with the Di-*
12 *rector of the National Science Foundation and the Sec-*
13 *retary of the Navy, shall—*

14 (1) *develop procedures for the submittal and*
15 *joint review of proposals for research in priority re-*
16 *search areas to be carried out with assistance from 2*
17 *or more agencies within the Department of Com-*
18 *merce, the National Science Foundation, or the De-*
19 *partment of Defense; and*

20 (2) *issue final rules establishing those procedures*
21 *by not later than 1 year after the date of the enact-*
22 *ment of this Act.*

1 **SEC. 8. GRANTS AND CONTRACTS FOR NATIONAL UNDER-**
2 **SEA RESEARCH CENTERS.**

3 (a) *AUTHORIZATION.*—*The Under Secretary may*
4 *make grants and enter into contracts and cooperative agree-*
5 *ments under this section to fund any Center program if*
6 *the Under Secretary finds that the program will advance*
7 *knowledge in the priority research areas.*

8 (b) *ALLOCATION OF FUNDING.*—

9 (1) *IN GENERAL.*—*Based on the reviews under*
10 *section 6(c) of proposed Center programs, the Under*
11 *Secretary shall—*

12 (A) *allocate among the Centers, in such*
13 *manner as will best advance knowledge in the*
14 *priority research areas, all amounts available for*
15 *the current fiscal year for research to be con-*
16 *ducted by the Centers and administration of the*
17 *Centers, consistent with each Center's long-term*
18 *responsibilities to conduct priority research; and*

19 (B) *notify each Center Director of the*
20 *amount allocated to that Center under subpara-*
21 *graph (A).*

22 (c) *TERMS AND CONDITIONS.*—

23 (1) *IN GENERAL.*—*Any grant made or contract*
24 *entered into under this section shall be subject to*
25 *paragraphs (2) and (3) and to any other terms, con-*

1 *ditions, and requirements the Under Secretary con-*
2 *siders necessary.*

3 (2) *LIMITATIONS ON USE FOR LAND AND BUILD-*
4 *INGS.—Amounts provided under any grant or con-*
5 *tract under this section may not be used for—*

6 (A) *the purchase of any land; or*

7 (B) *the purchase or construction of any*
8 *building.*

9 (3) *MAINTENANCE OF RECORDS.—Any person*
10 *who receives or utilizes any proceeds of any grant of*
11 *contract under this section shall keep any records the*
12 *Under Secretary prescribes as necessary to facilitate*
13 *effective audit and evaluation, including reports*
14 *which fully disclose the amount and disposition of*
15 *funds received under this Act, the total cost of activi-*
16 *ties for which those funds were used, and the amount,*
17 *if any, of costs which were provided through other*
18 *sources. The records shall be maintained for 6 years*
19 *after the completion of the activity. The Under Sec-*
20 *retary and the Comptroller General of the United*
21 *States, or any of their duly authorized representa-*
22 *tives, shall have access, for the purpose of audit and*
23 *evaluation, to any books, documents, papers, and*
24 *records of receipts, which in the opinion of the Under*

1 *Secretary or of the Comptroller General may be relat-*
2 *ed or pertinent to the grants and contracts.*

3 **SEC. 9. FINANCIAL ASSISTANCE REVIEW BOARD.**

4 *After the date of the enactment of this Act, grants and*
5 *contracts under the Program shall not be subject to review*
6 *by the board in the Department of Commerce known as the*
7 *Financial Assistance Review Board.*

8 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) *CENTER PROGRAM FUNDING.*—*There is authorized*
10 *to be appropriated to the Under Secretary for use for grants*
11 *and contracts under section 8, to remain available until*
12 *expended, \$20,000,000 for fiscal year 1995, \$22,000,000 for*
13 *fiscal year 1996, \$24,000,000 for fiscal year 1997,*
14 *\$26,000,000 for fiscal year 1998, and \$28,000,000 for fiscal*
15 *year 1999.*

16 (b) *OFFICE OF UNDERSEA RESEARCH.*—*There is au-*
17 *thorized to be appropriated to the Under Secretary for the*
18 *administration of the Office of Undersea Research and sup-*
19 *port of the Memorandum of Agreement Concerning Support*
20 *of a National Academic Deep Submergence Facility for Sci-*
21 *entific Use, to remain available until expended, \$2,100,000*
22 *for fiscal year 1995, \$2,200,000 for fiscal year 1996,*
23 *\$2,300,000 for fiscal year 1997, \$2,400,000 for fiscal year*
24 *1998, and \$2,500,000 for fiscal year 1999.*

1 (c) *REVERSION OF UNOBLIGATED AMOUNTS.*—The
2 *amount of any grant, contract, or portion of a grant or*
3 *contract, made under section 3 or 8 that is not obligated*
4 *before the end of the third fiscal year in which it is author-*
5 *ized to be obligated—*

6 (1) *shall revert to the Under Secretary; and*

7 (2) *shall remain available for grants or contracts*
8 *under that section.*

9 (d) *LIMITATIONS ON USE.*—Amounts appropriated
10 *under the authority of subsection (a) shall not be available*
11 *for administration of this Act by the Office, or for program*
12 *or administrative expenses of the Administration or the De-*
13 *partment of Commerce.*

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